

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

HARRY WYNKOOP, individually and)	
on behalf) of his minor children J.W. and)	
G.W.,)	
)	
Plaintiff,)	
)	Civil Action No. 22-814
v.)	Judge Cathy Bissoon
)	Magistrate Judge Patricia L. Dodge
AVONWORTH SCH. DIST., <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER

This case has been referred to United States Magistrate Judge Patricia L. Dodge for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. §§ 636(b)(1)(A) and (B), and Local Rule of Civil Procedure 72.

On August 7, 2023, the Magistrate Judge issued a Report (Doc. 24) recommending that the pending Motion (Doc. 13) for dismissal be granted in part and denied in part. Service of the Report and Recommendation (“R&R”) was made on the parties, and no objections have been filed.

After a *de novo* review of the pleadings and documents in the case, together with the R&R, the following Order is entered:

Defendants’ Motion to Dismiss (**Doc. 13**) is **GRANTED IN PART AND DENIED IN PART** as follows:

1. Count I is DISMISSED against the individual defendants in their official capacities only;
2. Count II is DISMISSED
3. Count III is DISMISSED with respect to the individual defendants only;

4. As to G.W., all claims that may have been brought on his behalf are DISMISSED other than the claim in Counts I and III that his personal information was made public;
5. As to J.W., the claims in Count I and III relating to disenrolling her from the District are DISMISSED;
6. The claim for punitive damages against the School District is DISMISSED;
7. The request for liquidated damages should is DISMISSED; and
8. In all other respects, the Motion to Dismiss is DENIED.

Finally, the **R&R (Doc. 24)** is adopted as the Opinion of the District Court.

IT IS SO ORDERED.

August 31, 2023

s/Cathy Bissoon
Cathy Bissoon
United States District Judge

cc (via ECF email notification):
All Counsel of Record